

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of DALE LYNNE LAROSE, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DEAN MICHAEL LAROSE,

Respondent-Appellant,

and

JANINE A. LAROSE,

Respondent.

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UNPUBLISHED

December 18, 2003

No. 248026

Wayne Circuit Court

Family Division

LC No. 01-399570

Before: Fitzgerald, P.J., and Neff and White, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I);<sup>1</sup> *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The conditions that led to adjudication were respondent-appellant's substance abuse and domestic violence. Respondent-appellant refused to participate in and/or benefit from the services offered. As a result, the conditions that led to adjudication continued to

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<sup>1</sup> Effective May 1, 2003, the court rules governing proceedings regarding juveniles were amended and moved to the new MCR subchapter 3.900. The provisions on termination of parental rights are now found in MCR 3.977. Specifically, the court rule governing the standard of review is found at MCR 3.977(J). In this opinion, we refer to the rules in effect at the time of the order terminating parental rights.

exist at the time of termination and there was no reasonable likelihood that the conditions would be rectified within a reasonable time. Moreover, the substance abuse and propensity for violence precluded respondent-appellant from providing proper care and custody of the child. Accordingly, the court did not err in finding that a statutory basis for termination of parental rights had been established.

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to his child.

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ Janet T. Neff

/s/ Helene N. White